

By John Banister Command was given to the Sheriff of Somerset County that he should take up
afft. Alex. Carlyle - & Alexander Carlyle late of Somerset County Gent: if he should be found in his Bals:
wch and him should have his Day so that he might have his Body ready before the
Justices of his Lordships County Court of Somerset to be held at Doding Creek, Tues the day of
June instant to answer unto John Banister of a plea of trespass upon the said John Banister and that
none of them should not sueing.

And the said John Banister by James Hale his attorney deputed against the said Alexander
Carlyle in the place aforesaid followed this Day. — Somerset County vs. Alexander
Carlyle late of Somerset County Gent: was attested to answer unto John Banister of a plea
of trespass upon the said John Banister.

And whereupon the same John by James Hale his attorney complained that Whereas
the aforesaid Alexander the tenth day of June One thousand Seven hundred and twenty at the first aforesaid
within the Jurisdiction of this Court was indebted unto the same John in the sum of twenty
two hundred and forty six pounds of good sound merchantable Tobacco, for the same received
for the use of the same John and to him of being indebted the same Alexander in Consideration
hereof afterward that is to say the day aforesaid in the year aforesaid within the aforesaid
Jurisdiction upon himself appeared and to the same John then and there full放 pay promised
that he when after paid he should be moreover required the aforesaid twenty two hundred and
forty six pounds of tobacco to the same John he would wee and full放 pay and Content.

Nevertheles the aforesaid Alexander altho' he did and there that is to say the aforesaid day of June in the
year aforesaid at Somerset County aforesaid within the Jurisdiction aforesaid fourteen hundred and twenty five pounds
of tobacco part of the aforesaid twenty two hundred and forty six pounds, of tobacco to the same John paid and
contented yet the aforesaid Alexander as to seven hundred and fifty one pounds of tobacco the
Residue of the aforesaid twenty two hundred and forty six pounds of tobacco his promise and a comp-
lement aforesaid in form aforesaid little regarding but plotting and scandalizing Intending the same
John of the aforesaid seven hundred and fifty one pounds of tobacco to have and sufficient to deserve and
defend the aforesaid seven hundred and fifty one pounds of tobacco according to his promise and
a complement aforesaid he hath not paid, or the same John for it in any wise contented, altho' the tenth
day of June One thousand Seven hundred and twenty three at the County aforesaid within the
Jurisdiction aforesaid by the same John Banister there requested but the same Alexander the aforesaid
sum of seven hundred and fifty one pounds of tobacco the residue aforesaid will not, to the same same
John to pay or for him it in any wise to Content he altogether refused and there doth
refuse whereby the same John says he is the work and hath damage to the value of fifteen
hundred pounds of tobacco and thereof he brings his suit ex. d. Hale of Deerfield, Esq. to doe
R. Kae

(A copy)